

Key Docket No. 13615.21USU1

MERCHANT & GOULD P.C.  
United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

OCT 12 PM 3:56

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPOUNDS TO TREAT ALZHEIMER'S DISEASE

Specification of which  
is attached hereto

was filed on June 29, 2001 as application serial no. 09/895,871 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I have a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before the filing date of the application on the basis of which priority is claimed:

If no such applications have been filed.  
If such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the event provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as required in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

reby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
0/215,323	June 30, 2000

acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office has been practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(c) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

M. Jeffer Reg. No. 46,359  
ss, Steven C. Reg. No. 34,130  
pbell, Keith Reg. No. 46,597  
nault, Ronald A. Reg. No. 25,968  
etro, Mark J. Reg. No. 28,707  
otch, Matthew Reg. No. P-48,957  
son, Kevin C. Reg. No. 46,759  
on, Randall A. Reg. No. 31,838  
elberger, Denise Reg. No. 33,924  
alchyk, Alan W. Reg. No. 31,535  
alchyk, Katherine M. Reg. No. 36,848  
n, Jean A. Reg. No. P-48,428

Mayfield, Denise L. Reg. No. 33,732  
Mueller, Douglas P. Reg. No. 30,300  
Nelson, Anna M. Reg. No. P-48,935  
Parsons, Nancy J. Reg. No. 40,364  
Pino, Mark Reg. No. P-43,858  
Prendergast, Paul Reg. No. 46,068  
Pytel, Melissa J. Reg. No. 41,512  
Samuels, Lisa A. Reg. No. 43,080  
Skoog, Mark T. Reg. No. 40,178  
Weaver, Paul Reg. No. P-48,640  
Whipps, Brian Reg. No. 43,261  
Withers, James D. Reg. No. 40,376

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

I hereby direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

\*2355  
2\*

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements jeopardize the validity of the application or any patent issued thereon.

Full Name Of Inventor	Family Name Fang	First Given Name Lawrence	Second Given Name Y.
Residence & Citizenship	City Foster City	State or Foreign Country California	Country of Citizenship US
Mailing Address	Address 1193 Beach Park Blvd.	City Foster City	State & Zip Code/Country CA 94404
Signature of Inventor 201:			Date:

Full Name Of Inventor	Family Name Hom	First Given Name Roy	Second Given Name
Residence & Citizenship	City San Francisco	State or Foreign Country California	Country of Citizenship US
Mailing Address	Address 480 Warren Drive, #301	City San Francisco	State & Zip Code/Country CA 94131
Signature of Inventor 202:			Date:

Full Name Of Inventor	Family Name John	First Given Name Varghese	Second Given Name
Residence & Citizenship	City San Francisco	State or Foreign Country California	Country of Citizenship US
Mailing Address	Address 1722 18th Avenue	City San Francisco	State & Zip Code/Country CA 94122

Signature of Inventor 203: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name Of Inventor	Family Name Maillard	First Given Name Michel	Second Given Name
Residence & Citizenship	City Redwood Shores	State or Foreign Country California	Country of Citizenship US
Mailing Address	Address 291 Shorebird Circle	City Redwood Shores	State & Zip Code/Country CA 94064

Signature of Inventor 204: Michel Maillard Date: 10/11/01

ney Docket No. 13615.21USU1

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my ; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPOUNDS TO AT ALZHEIMER'S DISEASE

pecification of which is attached hereto

was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) igned and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a ed States patent.

by state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by amendment referred to above.

by claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's ficate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before of the application on the basis of which priority is claimed:

no such applications have been filed.  
such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

by claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed w and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the ner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as ned in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national CT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
0/215,323	June 30, 2000

knowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**1.56. Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office has been practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or previously made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

li, M. Jeffer	Reg. No. 46,359	Mayfield, Denise L.	Reg. No. 33,732
ruess, Steven C.	Reg. No. 34,130	Mueller, Douglas P.	Reg. No. 30,300
ampbell, Keith	Reg. No. 46,597	Nelson, Anna M.	Reg. No. P-48,935
aignault, Ronald A.	Reg. No. 25,968	Parsons, Nancy J.	Reg. No. 40,364
iPietro, Mark J.	Reg. No. 28,707	Pino, Mark	Reg. No. P-43,858
oscotch, Matthew	Reg. No. P-48,957	Prendergast, Paul	Reg. No. 46,068
arrison, Kevin C.	Reg. No. 46,759	Pytel, Melissa J.	Reg. No. 41,512
illson, Randall A.	Reg. No. 31,838	Samuels, Lisa A.	Reg. No. 43,080
ettelberger, Denise	Reg. No. 33,924	Skoog, Mark T.	Reg. No. 40,178
owalchyk, Alan W.	Reg. No. 31,535	Weaver, Paul	Reg. No. P-48,640
owalchyk, Katherine M.	Reg. No. 36,848	Whipps, Brian	Reg. No. 43,261
own, Jean A.	Reg. No. P-48,428	Withers, James D.	Reg. No. 40,376

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

**\*2355**

**?\***

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
		Fang	Lawrence	Y.
0	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		Foster City	California	US
1	Mailing Address	Address	City	State & Zip Code/Country
		1193 Beach Park Blvd.	Foster City	CA 94404
Signature of Inventor 201:			Date:	
			6-28-2001	
2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
		Hom	Roy	
0	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
		San Francisco	California	US
2	Mailing Address	Address	City	State & Zip Code/Country
		82 Ina Court 480 Warren Drive, #301	San Francisco	CA 94112
Signature of Inventor 202:			Date:	
			28 June 2001	

Full Name Of Inventor	Family Name John	First Given Name Varghese	Second Given Name
Residence & Citizenship	City San Francisco	State or Foreign Country California	Country of Citizenship US
Mailing Address	Address 1722 18th Avenue	City San Francisco	State & Zip Code/Country CA 94122
Signature of Inventor 203:		Date:	
Varghese John		28 <sup>th</sup> June 2001	
Full Name Of Inventor	Family Name Maillaird	First Given Name Michael	Second Given Name
Residence & Citizenship	City Redwood Shores	State or Foreign Country California	Country of Citizenship US
Mailing Address	Address 291 Shorebird Circle	City Redwood Shores	State & Zip Code/Country CA 94064
Signature of Inventor 204:		Date:	